

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
v.	)	CAUSE NO.: 2:08-CR-153-RL-PRC
	)	
ALICE CHYWANNA JOHNSON,	)	
Defendant.	)	

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE  
UPON A PLEA OF GUILTY BY DEFENDANT ALICE CHYWANNA JOHNSON**

TO: THE HONORABLE RUDY LOZANO, JUDGE,  
UNITED STATES DISTRICT COURT

Upon Defendant Alice Chywanna Johnson's request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on December 8, 2008, with the consent of Defendant Alice Chywanna Johnson, counsel for Defendant Alice Chywanna Johnson, and counsel for the United States of America.

The hearing on Defendant Alice Chywanna Johnson's plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant Alice Chywanna Johnson under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant Alice Chywanna Johnson,

I FIND as follows:

(1) that Defendant Alice Chywanna Johnson understands the nature of the charge against her to which the plea is offered;

(2) that Defendant Alice Chywanna Johnson understands her right to trial by jury, to persist in her plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse

witnesses, and her right against compelled self-incrimination;

(3) that Defendant Alice Chywanna Johnson understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant Alice Chywanna Johnson understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant Alice Chywanna Johnson has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant Alice Chywanna Johnson is competent to plead guilty;

(6) that Defendant Alice Chywanna Johnson understands that her answers may later be used against her in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant Alice Chywanna Johnson's plea; and further,

I RECOMMEND that the Court accept Alice Chywanna Johnson's plea of guilty to the offense charged in the Indictment and that Defendant Alice Chywanna Johnson be adjudged guilty of the offense charged in the Indictment and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and Alice Chywanna Johnson be adjudged guilty, sentencing will be held **February 27, 2009, at 11:00 a.m.** in the Hammond Division, before Judge Rudy Lozano. Defendant Alice Chywanna Johnson is **ORDERED** to be present in person at sentencing. Objections to the Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B).

So ORDERED this 8th day of December, 2008.

s/ Paul R. Cherry  
MAGISTRATE JUDGE PAUL R. CHERRY  
UNITED STATES DISTRICT COURT

cc: All counsel of record  
Honorable Rudy Lozano